

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

EDWARD E. BLACKORBY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 13-cv-00908-SRB
	)	
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	

**ORDER**

In an Order filed September 28, 2021, the Court granted in part and denied in part Plaintiff Edward Blackorby's ("Plaintiff") Motion for Attorney Fees and Litigation Costs Pursuant to 49 U.S.C. § 20109(e). (Doc. #385.) As relevant here, the Court awarded Plaintiff \$570,771.00 in attorney and paralegal fees.

In an Opinion filed February 16, 2023, the Eighth Circuit Court of Appeals affirmed in part and reversed in part. In relevant part, the Eighth Circuit remanded this case to "the district court with instructions to enter an order reducing the fee award by \$103,642.50." Eighth Circuit Case No. 21-3330, p. 9. On March 9, 2023, the Eighth Circuit issued its Mandate.

Pursuant to the Eighth Circuit's Opinion and Mandate, it is hereby ORDERED that Plaintiff's fee award of \$570,771.00 is reduced by \$103,642.50. The Clerk of Court is directed to enter an amended judgment in accordance with this Order.

**IT IS SO ORDERED.**

Dated: March 9, 2023

/s/ Stephen R. Bough  
STEPHEN R. BOUGH  
UNITED STATES DISTRICT JUDGE